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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.06.2026

CORAM

THE HON'BLE MR JUSTICE N. ANAND VENKATESH

AND

THE HON'BLE MR JUSTICE P.B.BALAJI

H.C.P.(MD)No.214 of 2026

Ramu Ammal

.. Petitioner / mother of the detenu
Vs.

1.The Principal Secretary to Government,
Home, Prohibition and Excise Department,
Secretariat,
Chennai-600 009.

2.The District Collector and District Magistrate,
Ramanathapuram.

3.The Superintendent of Prison,
Central Prison,
Madurai.

.. Respondents

Prayer :Petition filed under Article 226 of the Constitution of India. to issue a writ of Habeas Corpus, to call for the entire records connected with the impugned detention order passed by the second respondent made in his proceedings in Detention Order No.49/Goonda/2025, dated 11.12.2025



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quash the same and consequently direct the respondents to produce the detenu, namely, Alexpandi, s/o. Seemaisamy, aged 25 years, who is now detained in Central Prison, Madurai before this Court and set him at liberty.

For Petitioner : Mr.P.Praveenkumar

For Respondents : Mr.G.Karuppasamy Pandian,
Counsel for the State of
Tamil Nadu, (Criminal Side)

ORDER

(Order of the Court was made by N. ANAND VENKATESH,J.)

The petitioner is the mother of the detenu, by name, Alexpandi, s/o. Seemaisamy, aged 25 years. The detenu has been detained by the second respondent by his order in Detention Order No.49/Goonda/2025, dated 11.12.2025 holding him to be a "Goonda", as contemplated under Section 2(f) of the Tamil Nadu Act 14 of 1982. The said order is under challenge in this Habeas Corpus Petition.

2. We have heard the learned counsel appearing for the petitioner and the learned counsel for the State of Tamil Nadu (Criminal Side) appearing for the respondents. We have also perused the records produced by the Detaining Authority.



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3. Apart from the other grounds that were raised by the learned counsel appearing for the petitioner, one of the main ground that was raised is that the Detaining Authority was aware of the fact that the detenu had not filed any bail petition in the ground case and in spite of the same, the Detaining Authority took into consideration the order passed in CrI.O.P. (MD).No.12072 of 2025 and came to a conclusion that in a similar case, bail has been granted and therefore, there is likelihood of the detenu coming out on bail. The learned counsel submitted that the order that was relied upon by the Detaining Authority does not arise out of a similar case and hence, the detention order suffers from non-application of mind.

4. In the case in hand, there were two adverse cases and the ground case against the detenu. In the bail order that was relied upon by the Detaining Authority, this Court took into consideration the fact there were no previous cases against the detenu in that case. In view of the same, the order that was relied upon by the Detaining Authority certainly does not arise out of a similar case and consequently, the detention order suffers from non-application of mind.



WEB COPY 5. In the result, the Habeas Corpus Petition is allowed and the order of detention in Detention Order No.49/Goonda/2025, dated 11.12.2025 passed by the second respondent is set aside. The detenu, viz., Alexpandi, s/o. Seemaisamy, aged 25 years, is directed to be released forthwith unless his detention is required in connection with any other case.

(N.A.V.,J..) (P.B.B.,J.)
09.06.2026

Index : Yes / No

Internet : Yes / No

TSG

To

1.The Principal Secretary to Government,
Home, Prohibition and Excise Department,
Secretariat,
Chennai-600 009.

2.The District Collector and District Magistrate,
Ramanathapuram.

3.The Superintendent of Prison,
Central Prison,
Madurai.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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**N. ANAND VENKATESH,J.
AND
P.B.BALAJI,J.**

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